



Australian Capital Territory

Surveyors Amendment Act 2010

A2010-6

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Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

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Australian Capital Territory

Surveyors Amendment Act 2010

A2010-6

An Act to amend the *Surveyors Act 2007*, and for other purposes

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 Name of Act

This Act is the *Surveyors Amendment Act 2010*.

2 Commencement

This Act commences on the day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

3 Legislation amended

This Act amends the *Surveyors Act 2007*.

Note This Act also amends other legislation (see sch 1).

**4 Registration condition
Section 9 (1)**

omit

guidelines

substitute

directions

5 Section 9 (2)

omit

make guidelines

substitute

give directions

6 Section 9 (3) and (4)

omit

guideline

substitute

direction

**7 Continuation notice reminders
Section 18 (2) (b) (i) and (ii)**

substitute

- (i) that the surveyor must give the chief surveyor a continuation notice before 1 September in the financial year if the surveyor intends to continue to be registered in the financial year;
- (ii) that the surveyor's registration will be automatically suspended on 1 November in the financial year if the surveyor does not give the chief surveyor a continuation notice for the financial year before 1 November in the financial year;

8 Section 18 (2) (c)

substitute

- (c) set out any fee determined for giving a continuation notice, including any higher fee for late payment.

**9 Annual continuation notice for registration
Section 19**

omit

Before the beginning of a financial year,

substitute

Before 1 September in a financial year,

10 Section 20

substitute

20 No continuation notice before 1 November

- (1) This section applies if a surveyor has not given the chief surveyor a continuation notice for a financial year before 1 November in the financial year.
- (2) The surveyor's registration is automatically suspended on 1 November in the financial year.

**11 Lifting s 20 suspension
Section 21 (3), except notes**

substitute

- (3) The suspension ends when the surveyor gives the chief surveyor the notice and the registration is taken to have continued in force as if it had not been suspended under section 20.

12 **Grounds for occupational discipline**
Section 26 (1) (b) and (c)

omit

a survey

substitute

a survey or a measurement survey

13 **New section 26 (3)**

insert

(3) In this section:

measurement survey means an activity that includes any of the following:

- (a) taking measurements of distance, height, depth, level or direction in relation to land, including the air space above land and the subsurface below land and land covered by water;
- (b) inserting survey marks in or on land;
- (c) recording any measurements taken under paragraph (a) and the location of any survey marks inserted under subparagraph (b);
- (d) collating any measurements and locations recorded under subparagraph (c);
- (e) preparing plans or other documents to illustrate the results of any measurements taken, or the location of any survey marks inserted, under this paragraph.

14 **Dictionary, definition of *chief surveyor***

omit

15 Dictionary, new definition of *surveyor-general*

insert

surveyor-general means the surveyor-general appointed under section 59.

16 Further amendments, mentions of *chief surveyor*

omit

chief surveyor

substitute

surveyor-general

in

- sections 6 to 11
- sections 14 and 15
- sections 18 to 24
- sections 26 to 28
- sections 41 to 43
- sections 53 to 56
- part 5 heading
- sections 59 to 61
- sections 63 to 65
- sections 67 to 69
- section 74
- section 78
- section 81

Schedule 1 Consequential amendments

(see s 3)

Part 1.1 Districts Act 2002

[1.1] Section 7 (3) and (4)

omit

chief surveyor

substitute

surveyor-general

[1.2] Section 18 (1)

omit

chief surveyor

substitute

surveyor-general

[1.3] Dictionary, note 2

omit

- chief surveyor

[1.4] Dictionary, note 2

insert

- surveyor-general

Part 1.2 Electoral Act 1992

[1.5] Section 39 (3) (c) and (5)

omit

chief surveyor

substitute

surveyor-general

[1.6] Section 39 (5)

omit

chief surveyor's

substitute

surveyor-general's

[1.7] Section 47 (3)

omit

chief surveyor

substitute

surveyor-general

[1.8] Section 47 (3)

omit

chief surveyor's

substitute

surveyor-general's

Part 1.3 Land Titles Act 1925

[1.9] Section 64 (7)

omit

chief surveyor

substitute

surveyor-general

Part 1.4 Legislation Act 2001

[1.10] Dictionary, part 1, definition of *chief surveyor*

omit

[1.11] Dictionary, part 1, new definition of *surveyor-general*

insert

surveyor-general means the surveyor-general under the *Surveyors Act 2007*.

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 10 December 2009.

2 Notification

Notified under the Legislation Act on 2 March 2010.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

I certify that the above is a true copy of the Surveyors Amendment Bill 2010, which originated in the Legislative Assembly as the Surveyors Amendment Bill 2009 and was passed by the Assembly on 23 February 2010.

Acting Clerk of the Legislative Assembly

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